

REMARKS

Claims 4, 5, 9-10, 14-15, and 17-20 are pending. Claims 18, 19, and 20 are in independent form.

In the action mailed March 8, 2006, claims 14-16 and 20 were rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to enable one of ordinary skill to control access to a variety of shared resources using the memory controller recited in claim 16.

Although Applicant disagrees with the grounds of the rejection, to advance prosecution, claim 16 has been canceled and subject matter drawn therefrom added to claim 17. As to claim 17, applicant submits that it is well within the level of ordinary skill in the art to control access to a shared memory bank using a memory controller. Accordingly, the rejections are moot and Applicant requests that they be withdrawn.

Moreover, Applicant respectfully submits that even if the grounds of the rejection were proper, the rejection of parent claim 20 was without basis. In particular, there is nothing in claim 20 that requires that access to a variety of shared resources be controlled using the memory controller recited in claim 16. Accordingly, Applicant submits that the rejection of claim 20 is improper on this ground as well.

Claim 17 was rejected under 35 U.S.C. § 112, second paragraph as indefinite. Claim 17 has been amended to address the Examiner's concerns.

Claims 18, 19, and 20 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,820,263 to Klappholz (hereinafter "Klappholz").

Klappholz relates to a system for the management of access to shared processors. In Klappholz, every process that is awaiting execution by a shared processor is added to a ready queue that is associated with a particular "class." See, e.g., Klappholz, col. 5, line 10-13. Each process is added to a ready queue either directly or by way of a timer queue 30. See Klappholz, col. 5, line 6-9, 17-19. Once in the proper ready queue 31, the processes wait for a shared processor to become available. See, e.g., Klappholz, col. 5, line 41-45.

Each ready queue is a FIFO queue that stores multiple processes. See Klappholz, col. 5, line 13-17. The class of each ready queue has associated "rights and priorities" that are peculiar to that class. See Klappholz, col. 5, line 10-13. As best understood by applicant, the only such "rights and priorities" that are explicitly identified by Klappholz are the "execution time slice" that is inherited by the processes in that class and the ability to of certain classes to institute a lock. See Klappholz, col. 4, line 24-28, 28-31. An execution

time slice determines how long a process can be executed on a processor without interrupt. See *Klappholz*, col. 4, line 24-28.

Once a process that has been sent to a processor exceeds the execution time slice (or the execution time slice plus an extension provided by a lock), the process is either committed or rolled-back. See *Klappholz*, col. 5, line 45-51.

The rejections contend that *Klappholz* somehow involves access cycles in which access is successively provided to high priority requests and low priority requests, such as recited in claims 18, 19, and 20. Applicant respectfully disagrees. As discussed above, processor allocation in *Klappholz* is understood to be an ongoing, continuous affair, with processes being moved one-by-one from each class queue to a processor. They do not appear to be any cycles in which access is provided to processes (as recited in claims 18, 19, and 20), but rather each process is individual sent to a processor from a FIFO queue when an individual predecessor process times out.

Further, as discussed above, it appears to applicant that the only "rights and priorities" that are associated with membership in one of *Klappholz*' classes are execution time slice and ability to institute a lock. Thus, as best understood by Applicant, there is nothing that suggests a relationship between membership in one of *Klappholz*' class and cycles, as recited in claims 18, 19, and 20.

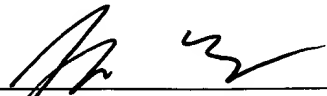
Accordingly, anticipation of claims 18, 19, and 20 has not been established. Applicant therefore requests that the rejections of claims 18, 19, 20, and the claims dependent therefrom be withdrawn.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant asks that all claims be allowed. No fees are believed due at this time. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

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